

VZCZCXRO8636
RR RUEHLN RUEHSK RUEHVK RUEHYG
DE RUEHDBU #0413/01 0931016
ZNR UUUUU ZZH
R 031016Z APR 09
FM AMEMBASSY DUSHANBE
TO RUEHC/SECSTATE WASHDC 0193
INFO RUEHFT/AMCONSUL FRANKFURT 0012
RUEHDBU/AMEMBASSY DUSHANBE 0358
RUCNCIS/CIS COLLECTIVE
RUEHPNH/NVC PORTSMOUTH NH

UNCLAS SECTION 01 OF 04 DUSHANBE 000413

SIPDIS

DEPT FOR CA/FPP AND SCA/CEN
FRANKFURT FOR RCO

E.O. 12958: N/A

TAGS: [CVIS](#) [KFRD](#) [CPAS](#) [CMGT](#) [ASEC](#) [TI](#)

SUBJECT: FRAUD SUMMARY - DUSHANBE, TAJIKISTAN

DUSHANBE 00000413 001.2 OF 004

Country Conditions

1. Tajikistan's continued poverty, high unemployment and dependence on remittances from family members abroad result in a significant number of working age Tajiks, mostly male, who seek to leave Tajikistan for better prospects elsewhere. Until recently, according to unofficial statistics, more than one million Tajiks out of a population of seven million worked abroad, primarily in the Russian Federation. However, in recent months, the effect of the worldwide economic crisis on the Russian economy as well as a December 2008 decree by the Russian Prime Minister aimed at cutting quotas of foreign workers has resulted in thousands of unemployed Tajik citizens being sent back to Tajikistan. This portion of the population may be expected to look for job opportunities outside of Tajikistan beyond Russia. At the same time, living conditions in Tajikistan have become even more difficult with rising prices in rural areas as well as the major cities and another winter with energy outages affecting the entire country. As the overall economic situation in Tajikistan continues to deteriorate, there is a concern that all of these factors may contribute to increased fraudulent applications related to labor migration and that the U.S. visa will be used as a means to seek a better economic opportunities.

2. Fraud in Tajikistan is much more primitive compared to the efforts of visa applicants in many other countries (petition-based fraud, for example). We uncover most fraud easily at the NIV window with a short interview. However, Post sometimes encounters relatively sophisticated attempts, which require follow-up investigations and further action by the Fraud Prevention Unit or Regional Security Office. During the reporting period, Post saw a case of apparent H1B fraud when a Turkish school in the United States petitioned for a Tajik teacher. After the applicant was found unqualified for the position through the visa interview, further CCD research uncovered numerous H1B visa refusals in Turkey from this same petitioner. This petition was sent back to DHS for revocation.

3. When Post uncovers fraud, it is usually in connection with tourist (B1/B2) or student (F1) visas. Discovery often occurs during the initial application review or during the interview, when it becomes apparent that the applicant does not intend to fulfill the stated purpose of the trip and likely seeks either to work illegally for a short time or to join relatives who have already illegally immigrated. Applicants often submit false employment and invitation letters in support of their applications. Lexis/Nexis searches provide invaluable information in this regard. Post has encountered fraudulent applicants traveling in groups for various sporting events (usually wrestling, arm wrestling or judo/taekwondo) in the United States. One applicant admitted to paying \$3,500 to be

included in the group; another who recently contacted post following deportation by DHS had apparently overstayed by 18 months. Applicants in these groups are sometimes well prepared for the visa interview and are often supplied with genuine supporting documents as they sometimes accompany legitimate travelers.

The majority of F1 visa applicants in Tajikistan wish to study English as a Second Language (ESL) in schools or programs preferably where large Tajik communities exist. Such places include New York City; Lincoln, Nebraska; Denver, Colorado, and more recently several schools in Miami and Los Angeles. Since these applicants tend to apply to the same dozen schools in the United States, post is interested in whether administrative practices of such schools might facilitate non-compliance with student visa status. Investigating one case, post requested an applicant's transcripts from the Computer Professional Learning Center (CPLC), a school that offers an ESL program, to clarify a discrepancy between the SEVIS record and applicant's statements.

When the initial transcript provided conflicted with the timing the student claimed she was in the U.S., the school responded by sending a second transcript with data in line with the applicant's statements. While there is no hard evidence of fraud here, we are now monitoring this U.S. school closely. In another case, anecdotal information has indicated that students applying to a different school in New York City take advantage of course hours that allow foreign students to work while studying. In regard to these concerns, post highly values recent DHS efforts to investigate further possible fraud trends among Tajik students falsely claiming to attend ESL schools, especially in New York.

14. Documents are generally untrustworthy in Tajikistan, with signatures and seals often forged. The officer can detect many of these documents by asking for supporting details about the individual's work, economic situation and financial sponsorship

DUSHANBE 00000413 002.2 OF 004

or details of the proposed US travel. Document forgers can be easily found in Tajikistan and provide fake job letters very cheaply. However, not all fraudulent documents are necessarily "fake." For a small bribe an applicant can have the appropriate government official write out a real birth or marriage certificate with false information, including all of the appropriate seals. Data mismatches usually make this sort of fraud easy to detect. Corrupt government officials continue to thwart attempts to tighten the issuance and regulations of national identity documents. Anti-corruption laws exist, but enforcement and implementation remain elusive, and internal controls on identity documents are lax.

NIV Fraud

15. Post began processing nonimmigrant visas in August 2006 and has experienced continued growth in the number of applicants, with the exception of the last quarter. The total number of issuances and refusals in FY07 was 2,384 which grew to 4,022 in FY08 and leveled off somewhat in the first half of FY09 (through March 15) with 1,179 applications. Post's NIV refusal rate for FY07 was only 39.3%. For FY08 it jumped to 48.8%. The refusal rate for the first half of FY09 has been only slightly higher at 51.7%. It is important to take into account the fact that F1 students make up a disproportionate number of all NIV applications. We have seen the percentage of F1s rise from 47% of all applications in FY07 to 63% in FY08, and stay at about 57% for the first half of FY09.

Post completed its second validation study for F1s during the period of 1 February 2007 through 22 August 2008. The results are as follows:

Total Issued: 1282
In status: 923 (72%)
Out of status: 165 (13%)
Departed: 188 (15%)
Unable to determine status: 6

A full report on the validation study will be submitted in a separate cable to the Department of State.

¶16. Tajik students often have trouble proving their ability to fully finance their study in the United States. Post has seen attempts to work around this by presenting suspicious letters of support from sponsoring firms or organizations as well as inflated bank statements. One indicator of fraud is bank statements that show an even number such as exactly USD 9,000 or 15,000 in the account. Anecdotal evidence suggests that an applicant can purchase such a statement for a hundred dollars; the money will be deposited into the account, and will remain there for approximately a month.

¶17. Post has encountered some instances of fraudulent sponsorship letters provided by legitimate organizations and NGOs. During this reporting period, post has had cases where applicants presented documents on legitimate letterhead claiming that a government office, private company or local NGO would sponsor the full cost of an individual's English study in the US - which made little sense in these instances. Follow up phone calls usually reveal that employers who may even have signed the letter don't really intend to fund such 'training'. In other cases, phone calls to official phone numbers provided on company/organization letterhead reach a private party with no relationship to the company or organization. A small positive exception to the trend occurred when post discovered that one international organization - ACTED - headquartered in Paris - does sponsor specific employees for English courses abroad as part of its employee incentive program.

¶18. Post processed its first ever Summer Work and Travel visas last Spring and conducted its first validation study of all 86 Tajik J-1 visa recipients who participated in the 2008 Summer Work and Travel Program. The validation study was based on records of the students' return received from local implementing agencies as well as ADIS information obtained by the Consular Section.

The results of the validation study are as follows:

Visas issued - 86
Visas refused - 24
Returned from the U.S. - 58 (67 %)
Did not return from the U.S./Changed status - 19 (22 %)
Confirmed overstay - 9 (11 %)

In summary, of 110 SWT J1 Applications received at Post in 2008, 86 were granted visas while 24 were refused. Of these 86

DUSHANBE 00000413 003.2 OF 004

issuances, 58 applicants returned to Tajikistan after their travel to the United States, 9 applicants are believed to have overstayed (6 male and 3 female) and 19 applicants are pending change to F1 status.

This current SWT season post anticipates a twofold increase in applications compared to last year.

IV Fraud

¶19. Post accepts and processes a limited number of I-130 petitions (approximately one a month). Marriage fraud in Tajikistan is not common, although we have seen some cases among DV applicants. Tajik society is very traditional and is generally not open to marriage to foreign citizens. In addition, there are relatively few Tajik-Americans, eliminating the types of marriage fraud found in connection with large diaspora communities.

DV Fraud

¶10. DV fraud in Tajikistan echoes that of the Central Asian region. Almaty and Tashkent have seen suspected sham marriages in Tajik DV cases processed at those posts. Although it is

difficult to draw conclusions based on unreliable high school equivalency documents, Tajiks fall roughly into two categories: agricultural laborers from villages and the mountains (unlikely to have earned a high school education) and city residents (often have college degrees in addition to high school equivalent education). Post has seen suspicious cases of children added to a DV case after notification and before the interview.

ACS and U.S. Passport Fraud

¶11. Post has not discovered any ACS or passport fraud in Tajikistan. Due to the small American citizen community, the Consular Officer and Embassy local staff are often personally acquainted with resident Americans. Few Tajiks have U.S. citizenship. Post has yet to issue more than five Consular Reports of Birth Abroad per year, and many of the Americans residents in Tajikistan have diplomatic or official passports. Passports are rarely lost or stolen, and in the past few years lost passports were usually returned within one week. There are thirteen children currently registered with the Embassy born to Tajik parents while in the United States (often as out-of-status students). This is an area of concern for post.

Adoption Fraud

¶12. On May 3, 2006, Tajikistan changed its Family Code to prohibit inter-country adoption of Tajik orphans. While couples which consist of at least one Tajik citizen may be still allowed to adopt, all other adoptions by non-Tajik citizens are forbidden by Tajik law.

Use of DNA Testing

¶13. Post has not had need to require DNA testing of any applicants.

Asylum and Other DHS Benefits Fraud

¶14. Post provides all assistance requested by DHS to verify documents such as birth certificates or proof of nationality/ethnicity, many of which have turned out to be fraudulent. No concrete asylum or other DHS benefits fraud has come to light in the past two quarters.

Alien Smuggling, Trafficking, Organized Crime, Terrorist Travel

¶15. Tajikistan is a source country for women trafficked through Kyrgyzstan and Russia to the United Arab Emirates (U.A.E.), Turkey, and Russia for the purpose of commercial sexual exploitation. Women are also reportedly trafficked to Pakistan for the purposes of sexual exploitation and forced labor. Men are trafficked to Russia and Kazakhstan for the purpose of forced labor, primarily in the construction and agricultural industries. Boys and girls are trafficked internally for various purposes, including forced labor and forced begging. There have been no reports of trafficking in persons from or through Tajikistan to the Western Hemisphere.

Supporters of terrorist groups such as the Islamic Movement of Uzbekistan (IMU), the Islamic Jihad Union (IJU), al-Qaida, and the Eastern Turkistan Islamic Movement remain active in Central Asia, as do anti-Western, anti-semitic extremist organizations

DUSHANBE 00000413 004.2 OF 004

such as Hizb'ut-Tahrir. Members of the Islamic Movement of Uzbekistan have been arrested and convicted for organized crime, murder and weapons charges in Tajikistan in the past. Tajikistan is primarily a transit center for illegal terrorist travel. Canada and Mexico do not have diplomatic representation in Tajikistan, and EU consular officials have not reported any use of fraudulent U.S. passports or visas to assist visa applications to EU countries.

DS Criminal Fraud Investigations

¶16. The Regional Security Office and Consular Section maintain a close working relationship. Fraud, as stated above, is relatively simple. Post's fraud prevention manager, the consular section chief, refers the occasional case to the RSO. The RSO in turn conveys the disposition of each case to the consular section chief. During the last year, the Regional Security Office and Consular Section have cooperated on two cases; one which had been opened by the local authorities regarding a visa fixer, another between DHS and the Ministry of Internal Affairs of the Republic of Tajikistan regarding visa fraud and alien smuggling using F1 student visas. One case concluded with an arrest and prosecution and the other case is ongoing.

Host Country Passport, Identity Documents, and Civil Registry

¶17. Post continues to have serious concerns about both the Ministry of Interior and the Ministry of Foreign Affairs' capacity in terms of the security and accountability of the passport issuance process. For example, physical presence of the applicant is often forgone in applying for passports. All Tajik civil documents should be scrutinized carefully. Post has encountered cases in the past of previously issued applicants having received new Tajik passports with identities to which they had no legal claim.

¶18. Most Tajik elite have returned to using traditional names, eliminating the Russian variants of surnames (the "-ev" and "-ov" endings for example) and patronymics. Post continues to be cognizant of possible name variations to recognize any fraud such as visa reapplication under the 'new' name to avoid discovery of adverse information or previous refusals.

Cooperation with Host Government Authorities

¶19. Document fraud is technically a criminal offense in Tajikistan. In combating these crimes, the Tajik Ministry of Foreign Affairs is at best an occasionally competent partner. The MFA periodically informs us by diplomatic note about the numbers of lost or stolen Tajik passports and also cooperates with Post's requests for verification of civil documents (though usually months later than requested). However, endemic corruption, shoddy record keeping, and lack of prosecution for document fraud limit the utility of cooperation.

Areas of Particular Concern

¶20. Despite the most recent drop in applications, in general, post has seen a steady increase in NIV applications since visa issuance began in 2006. This can be attributed to the low living standards in the country as well as increased awareness of the possibility of applying for a U.S. visa. Due to various factors mentioned above, post anticipates that the number of applicants will continue to increase overall in FY09, albeit perhaps at a slower rate. Post is currently processing its second year of Summer Work and Travel applicants in Tajikistan - with higher numbers, and other programs such as au pair are likely to follow. The continuing increase in applicants and difficult living situation in Tajikistan will undoubtedly lead to some rise in instances of fraud, and post does not discount the possibility that more sophisticated methods may be used to obtain visas fraudulently.

Staffing and Training

¶21. Consular Chief and Fraud Prevention Manager is Elisabeth Wilson. Fraud Prevention FSN is Tahmina Dehoti. Tahmina Dehoti has taken PC542 - FSN Fraud Prevention Workshop in Washington. JACOBSON